

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
diGirolamo et al.

Serial No.: **10/682,586**

Filed: **October 9, 2003**

For: **Stud Spacer for Metal Wall**

Docket No: **4782-030**

PATENT PENDING

Examiner: Mr. Phi Dieu N Tran A

Group Art Unit: 3637

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April 1, 2010
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Kathleen L. McDermott

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Sir:

REPLY BRIEF

The Examiner in the Answer still refuses to expressly construe claim terms, particularly the term "stud spacer". The issue remains whether the Examiner is obligated to disclose to the Applicant the actual construction imparted to the claim term. The Board is urged to hold that the Examiner must explicitly construe the term in situations such as those presented here.

Respectfully submitted,

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